

Docket No.: 401.1013US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sugasawa, *et al.*

Application No.: 10/500,964

Confirmation No.: 3433

Filed: July 8, 2004

Art Unit: 1625

For: 2-Acylaminothiazole Derivative Or Salt Thereof

Examiner: Celia C. Chang

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MS: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2009

Dear Sir:

In response to the Notice of Allowance and Issue Fee Due mailed on October 22, 2009, and the Examiner's stated reasons for allowance:

"Applicants have limited the claims to R3 is substituted or unsubstituted thienyl which demarcated from Muto et al. reference since Muto et al. disclosed compound wherein R3 is alkyl and no motivation for modifying alkyl to the thienyl moiety. The subgeneric scope finds descriptive basis on pages 97-127 of the specification wherein the subgeneric formula was described"

Applicants respectfully submit that the limitation of substituted or unsubstituted thienyl is made without prejudice to applicants' pursuit of other structures at the R3 position in continuation or divisional applications.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

/Richard V. Zanzalari/

By: _____
Richard V. Zanzalari
Reg. No. 49,032

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

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